

## **7 FAM 1940**

### **REPORTING CRIME VICTIM CASES**

*(CT:CON-98; 12-13-2004)*  
*(Office of Origin: CA/OCS/PRI)*

### **7 FAM 1941 REPORTING OF SERIOUS CRIME VICTIM CASES**

*(CT:CON-98; 12-13-2004)*

- a. Promptly report all serious crime victim cases CA/OCS/ACS by telephone followed by a front-channel cable (not just e-mails), and provide follow-up reporting to describe significant on-going activity or involvement in a case.
- b. It is important to handle and report these cases sensitively and with discretion. Provide enough detail to convey the gravity of the incident, without including sensational or graphic details that would be particularly painful or personal for the victim.
- c. Under the provisions of the Privacy Act, a U.S. citizen/national victimized by crime in your consular district has the right to obtain copies of reports you receive from host country authorities, as well as any cables, e-mails, and memoranda concerning the incident that you send to the Department. Alleged perpetrators of crime or abuse also may seek documents concerning the incident through the Freedom of Information Act. Therefore, be circumspect in how you report the incident.

### **7 FAM 1942 FRONT CHANNEL TELEGRAMS**

*(CT:CON-98; 12-13-2004)*

- a. Your reporting should:
  - (1) Always be sensitive to the emotional needs and feelings of the alleged victim, especially in instances where he/she has experienced an extremely traumatic event involving any degree of violence; and
  - (2) Be limited to the facts of the case as reported by the alleged victim and information from local authorities. Report enough detail to convey the gravity of the incident, without including sensational or graphic details that would be particularly painful or personal for the

victim. Until it has been determined by local authorities that a crime has occurred, it is an “alleged crime.” Do not include conjecture or speculation.

- b. **Homicide Cases:** U.S. citizen/national victims who die as a result of being criminally victimized no longer have any Privacy Act rights; however, their next of kin may very well attempt to obtain copies of the case file pursuant to the Freedom of Information Act (FOIA). Since what is releasable to a victim pursuant to the Privacy Act may not necessarily be releasable to the next of kin under FOIA, any speculation or conjecture not supported by the facts of the case may upset needlessly the victim's family and thus should be avoided.
- c. Use neutral terms, e.g., “the alleged victim or what he/she allege occurred” as opposed to “the victim claimed.”

**For example:**

- **The alleged victim said the following occurred.**
- **Mr. Public alleged that the following occurred.**

- d. Indicate “**Crime Victim Assistance Case**” on the subject line.
- e. Include the following pertinent details:
  - (1) Name, date and place of birth of the victim;
  - (2) Victim’s passport number, if known;
  - (3) Nature of the crime;
  - (4) Medical condition, and present location of the victim;
  - (5) Whether the victim is a resident of the United States and if so, what state. (This information is needed to determine what resources might be available.);
  - (6) Affiliation of victim (employer, school, missionary group, tour group, etc.);
  - (7) Next-of-kin or other points of contact;
  - (8) Consular services provided and additional services needed, including whether referrals to victims assistance and victim compensation programs were provided;
  - (9) Whether a police report was made;
  - (10) Privacy Act information/waiver; and
  - (11) In **death cases** include: (See 7 FAM 200).
    - (a) Cause of death;

- (b) Location/condition of the remains;
  - (c) Local autopsy requirements;
  - (d) Estimated time for release of remains; and
  - (e) Forensic identification requiring coordination with next-of-kin (DNA tests, etc.), if applicable.
- f. Until the **ACS** system revisions can capture data on crime victim cases, front-channel cables are a critical component in our ability to track these cases. Better reporting allows us to provide better information and location of violent crimes that occur to U.S. citizens/nationals abroad.

## **1943 THROUGH 1949 UNASSIGNED**